

Ebbetts Pass Highway

Special Plan

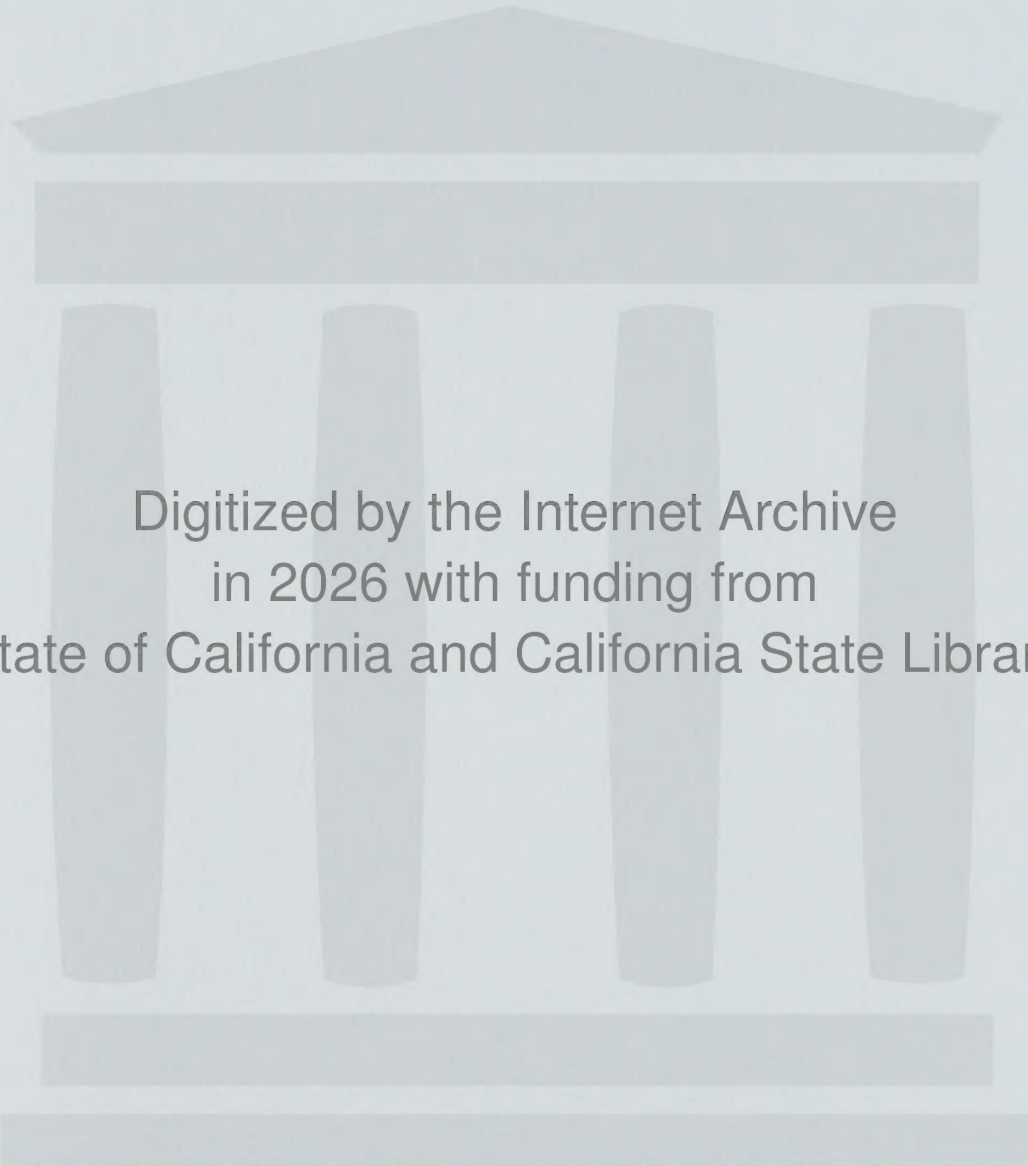


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County of Calaveras
State of California
General Plan Implementation Program
Community and Special Plans - 1984

EBBETTS PASS HIGHWAY

SPECIAL PLAN

Adopted by the
Board of Supervisors
December 17, 1984

Revised June, 1986
Current as of June, 1988

PREFACE

California law requires every county to have a comprehensive, long-range general plan to guide growth and development for its jurisdiction. A county general plan is a combination of mandatory, and, if desired, elective elements or sections that deal with land development and environmental protection within its boundaries.

The Calaveras County General Plan attempts to balance the preservation of private property rights with protection for the county's natural resources. The plan also provides an opportunity for community areas, and other areas with unique interests and resources, to develop special or community plans that reflect local values and goals concerning development. Upon adoption by the Board of Supervisors, these special plans become a part of the Calaveras County General Plan.

When the General Plan was extensively revised in 1982, a goal was included that recognized the importance of the Ebbetts Pass Highway and vicinity for its scenic value. To implement this goal, the General Plan called for development and adoption of a special plan to establish goals and policies related to land use, design, and zoning between Murphys and the Alpine County line. The Board of Supervisors appointed an eleven-member citizen committee in January, 1983, and charged the group with the responsibility of preparing the preliminary version of the special plan for the scenic highway. The Citizen Advisory Committee sent its version of the Plan to the Planning Commission in the Summer of 1984. The Board of Supervisors adopted the Plan in December, 1984.

The County General Plan was revised in 1985, but the policies related to the Ebbetts Pass Scenic Highway Plan were retained and unchanged from the 1982 version. In late 1985, the majority of the Board of Supervisors initiated a General Plan Amendment (GPA 85-12) to repeal a formal design review on a countywide basis. Because the 1984 Ebbetts Pass Scenic Highway Plan integrated design review so closely into the land use policies, the Board repealed the Plan.

The usual County process of appointing a Citizen Advisory Committee to prepare the preliminary version of a special plan has not been utilized in the preparation of this plan. A public hearing will be scheduled before the Planning Commission following Board action initiating the revised Plan. The Planning Commission will consider public testimony, and will make revisions to the Plan. The Commission's version of the Plan is called the "Draft Special Plan." This is sent to the Board for a final hearing and action.

With the exception of eliminating design review, and adding policies related to circulation and road systems, the Ebbetts Pass Highway Special Plan does not make any changes in land use or other policies as were adopted in 1984. This Plan does not add any new commercial designations to the corridor.

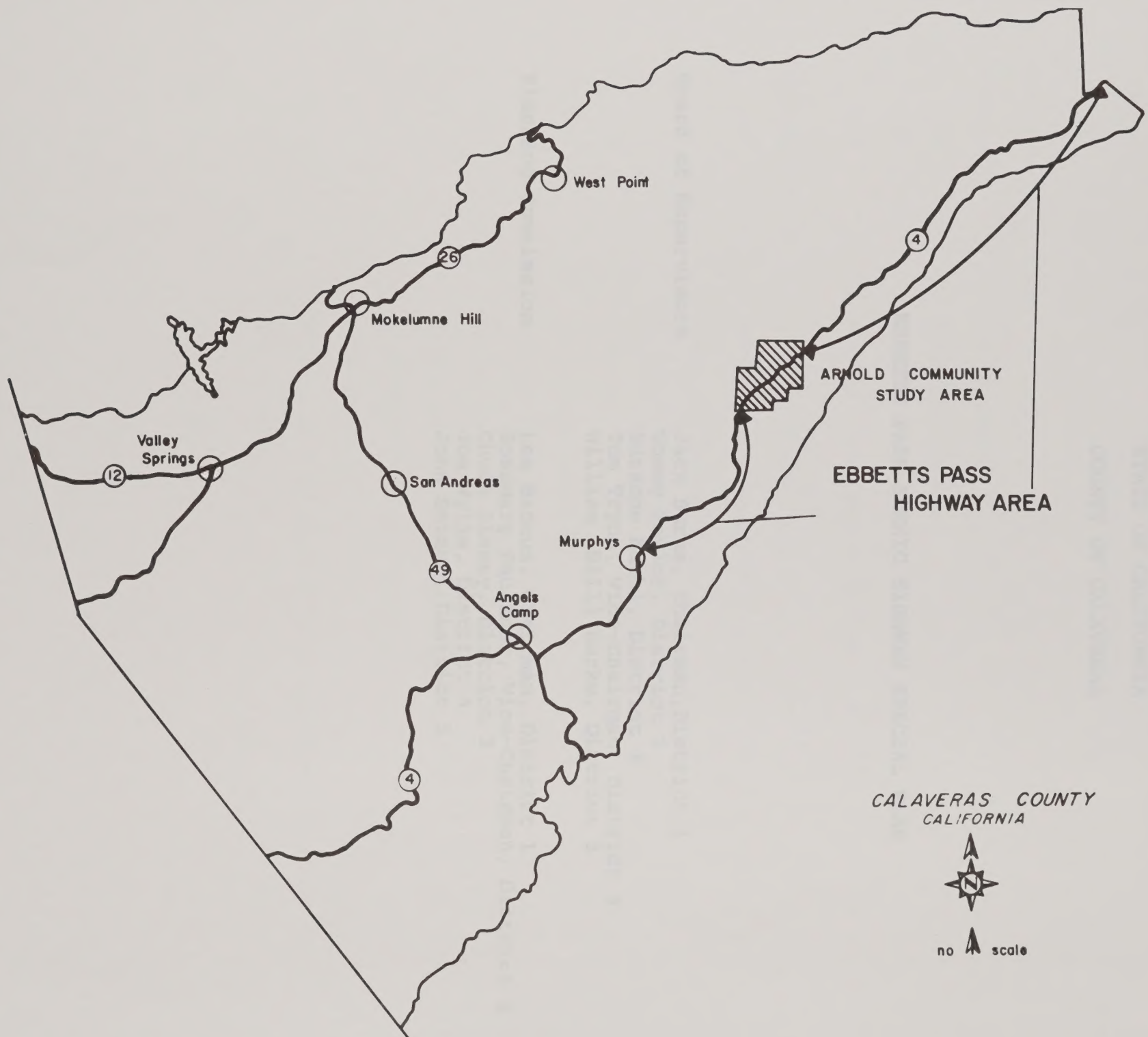


Figure A

STATE OF CALIFORNIA

COUNTY OF CALAVERAS

EBBETTS PASS SCENIC HIGHWAY SPECIAL PLAN

Board of Supervisors

Jack Burns, Chairman, District 1
Tommy Taylor, District 2
Suzanne Kuehl, District 3
Tom Tryon, Vice-Chairman, District 4
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Lee Baccus, Chairman, District 1
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EBBETTS PASS SCENIC HIGHWAY SPECIAL PLAN

TABLE OF CONTENTS

Preface		ii
Section I	Introduction	1
1.0	Area description	1
2.0	Area history	1
3.0	Special plan organization	2
Section II	Goals and Policies	4
1.0	General discussion of issues	4
2.0	Land use designation	4
3.0	Zoning consistency	6
4.0	General	10
5.0	Community centers	11
6.0	Resort centers	15
7.0	Recreation	16
8.0	Multiple-family residential	18
9.0	Single-family residential	19
10.0	Commercial	20
11.0	Timber harvesting and resource production	22
12.0	Circulation	24
Section III	Implementation	26

SECTION I

INTRODUCTION

1.0 AREA DESCRIPTION

The Ebbetts Pass Scenic Highway Corridor encompasses California Highway 4 from the northern edge of the Murphys-Douglas Flat Community Plan to the Alpine County line, a distance of about 35 miles. The Special Plan has a width that varies on the basis of land use and visibility of lands viewed from the highway (see map). The Plan area ranges in elevation from just over 2,000 feet above sea level at Murphys to over 7,000 feet at the Alpine County line. There is a permanent population of more than 6,500 people living in the general area of the corridor. The population swells to over 12,000 during peak visitor periods.

Land use goals and policies, design review policies, and other implementation measures of the Special Plan exclude the Arnold Community Plan area. The Arnold vicinity is under the jurisdiction of a separate community plan adopted and incorporated into the County General Plan in 1980.

2.0 AREA HISTORY

2.1 History of the Ebbetts Pass

(Courtesy of Ebbetts Pass Wonderland Association)

As early as 1827, the Ebbetts Pass was explored by Jedediah Smith as a route to the west. In the 1840's, Kit Carson and John C. Fremont came through the area as part of their explorations of the Sierra for travel routes. Major John Ebbetts, for whom the pass is named, surveyed the area for a possible railroad and stage route in 1850. The Major's work was never consummated for the railroad.

In 1852, A.T. Dowd discovered the Big Trees Grove, located between what is now Arnold and Dorrington. A hotel was built on the site in 1854 by A.S. Haynes. Further visiting and development of the

Area history

area was spurred by the construction of a toll road from Big Trees to Nevada that connected with the road from Murphys to Angels.

Throughout the late 1800's, the area was a major visitor attraction. Various inns and halfway houses were constructed for tourists. The Avery Hotel (1850) and Dorrington Hotel (late 1800's) are still in use today. The first subdivision in the area was Hathaway's Mountain Pines, created in 1937. Hanford Hill and Sierra Lakewood Estates followed in the 1940s. The Tamarack area, once called Onion Valley, was once a summer livestock range.

Since the 1950's, construction in the Ebbetts Pass area has centered on residential development. The scenic highway vicinity is the fastest-growing population area in Calaveras County.

2.2 History of the Scenic Highway

In the mid-1960's, the Board of Supervisors, acting on behalf of residents and property owners in the area, recognized the value of maintaining a scenic highway corridor between Angels Camp and Alpine County. To protect the area from "over-commercialization," the Board adopted the Highway Frontage (H1) zoning district. This was one of the few zones in the County at that time that required a public hearing for any land use other than a single-family residence. The concept was that the design of all structures would be reviewed prior to construction.

In the late 1960's and early 1970's, a group of residents in the Pass worked with the Board and the California Department of Transportation, Caltrans, to establish a scenic highway corridor. The state granted scenic highway status to Highway 4 from the Arnold Byway to the Alpine County line. The familiar poppy sign is located at the northeast edge of the Arnold commercial district.

No special design or development requirements or guidelines were ever adopted for the route. In 1980, when the Arnold Community Plan was adopted, its implementation included establishment of a design review committee with the primary purpose of approving design of development in the commercial and multifamily parcels along Highway 4 in Arnold. The Arnold Design Review Committee functioned independently of the Scenic Highway area, so no portion of this Plan was included in the Arnold Community Plan area.

When the revised General Plan was adopted in 1982, the County extended its recognition of the scenic qualities of Highway 4 by identifying all of the highway as a scenic highway corridor. In 1984, this was followed with the adoption of the Ebbetts Pass Scenic Highway Special Plan, a land use and design review plan, which included design review criteria for new development. The Plan was never fully implemented, as the Board of Supervisors repealed the Plan as part of a countywide abolition of design review process in 1986. This revised plan reflects the elimination of the formal design review process within the Plan area, but remaining policies are virtually the same as

Area history

were adopted for the 1984 Plan.

3.0 SPECIAL PLAN ORGANIZATION

The Ebbetts Pass Scenic Highway Special Plan is divided into several sections establishing goals and policies in relation to various issues. Section I is the Introduction with background information concerning development of the plan, its use and descriptions. Section II includes the Plan goals and policies. Within this section are chapters about the different areas and issues of the corridor. Section III is the implementation program to put the Plan into effect.

FINDINGS are the facts on which goals are based.

GOALS are broad objectives to attain the ultimate purpose of the Plan.

POLICIES are further clarifications of goals. A policy helps define the goal more specifically so that it is more easily attained.

IMPLEMENTATION MEASURES are the specific actions that are needed to be taken to ensure that the goals and policies of the Plan are put into day-to-day practice. An implementation measure may include a direction to staff in reviewing a building permit, an amendment to the County zoning ordinances, or similar measures.

The land use maps, and other specific maps associated with the Special Plan are developed in concert with the Plan text. Viewing only the maps will not provide a complete picture of how the policies of the Plan affect land use.

SECTION II

GOALS AND POLICIES

1.0 GENERAL DISCUSSION OF THE ISSUES

The purpose for preparing a special plan for the Ebbetts Pass is to provide for the protection of commercial land use designations as approved by the Board in the original Scenic Highway Special Plan. While the area is well-recognized for its area's outstanding natural, scenic environment, no particular provisions are made for such preservation in the special plan.

The beauty of the Ebbetts Pass, as reflected in major forest areas and rugged mountains, attracts people to the area. Many people are so impressed by the beauty, recreation opportunities, and life-style, that they become permanent residents of the area. Traditionally, the Ebbetts Pass area has been the fastest-growing area of the County in both the number of building permits issued each month, and population increases each year.

While a community plan, as opposed to a special plan, is able to reflect a direct constituency of property owners and residents, the Scenic Highway Special Plan incorporates an additional interested group made up of the recreation visitors to the area. If the general perception of a mountain recreation area is lost, there is the potential to see a drop in visitors to the area. If this were to occur, the adverse economic and social impacts on the businesses in the corridor would be severe.

Another aim of the special plan is to ensure that the area is able to provide the necessary commercial and residential services. There was found to be little need for new commercial areas, as previous zoning actions placed hundreds of still-undeveloped acres into commercial zones. This previous commercial zoning is retained.

2.0 LAND USE DESIGNATIONS

2.10 Purpose

The purpose of the land use designations is to ensure clarity in defining what types of land uses are permitted in specific areas of the corridor. The land use designations further permit property owners to apply for consistent zoning districts for their lands. The designations direct and guide land use decisions to be in conformance with the goals of the Plan.

2.20 Land use designations

2.21 Community Center

A community center is an area which is principally used for commercial, light industrial, single- and multiple-family residential, and other centralized community activities.

2.22 Resort Center

A resort center is an area which is principally used for recreation activities, or as a staging site to nearby recreation areas. Land uses are limited to those directly related to the recreation opportunities of the general area in which the subject property is located. (Refer to section 6.0)

2.23 Commercial

Commercial lands are those parcels with either existing commercial uses or zones, or lands located in areas of the scenic highway from which there is adequate access, population base, public services, and other reasons to support successful business ventures.

2.24 Recreation

Recreation lands are individual parcels for which specific projects are proposed consistent with the policies of the Plan to provide either a staging area or a direct recreation service. Recreation lands are not intended to be general commercial areas. (Refer to section 7.0)

2.25 Multiple-Family Residential

Land use designations

Duplexes, apartments, condominiums, town houses and time sharing units are permitted in the multiple-family residential designation.

2.26 Single-Family Residential

Lands for single-family use are limited to one residence per the density indicated in this Special Plan.

2.27 Resource Production

Resource production lands are those lands shown as High-Capability Timber or Wildlife Production lands in the Calaveras County General Plan, unless otherwise designated by the special plan for more intensive use.

3.0 ZONING CONSISTENCY

3.1 Purpose

The purpose of zoning consistency is to define the zoning districts that may be approved for specific land use designations. Zoning consistency is required by State law. This section will also define the "population density" and "building intensity". "Population density" is defined as the probable maximum number of people per acre when the property is completely developed for residential use. "Building intensity" is defined as the maximum number of residential dwelling units per acre at full development. It is also defined as the percentage of a parcel that can be covered by structures for commercial, industrial, and recreation development.

3.2 Effect on previously-zoned parcels

Any parcel with legally-existing Commercial zoning (RC, C1, C2, CP) Multiple-Family Residential zoning (R2, R3), or Industrial zoning (M1, M2), shall retain that district. The Calaveras County General Plan establishes this policy. Consistent with the General Plan is recognition that Highway Service (HS) zoning is not a commercial zone, and shall not be considered a previously-existing commercial district. Residential zones (RA, RR, R1) and resource zones (A1, AP, GF, TP) may be changed to reflect Plan policies. Consistent with other policies, legally-existing Recreation zoning (REC) shall be maintained.

Zoning consistency

3.3 Effect on existing land uses

Any legally-existing land use is afforded a "grandfathered" status. This means that if the use has been ongoing on the date of plan adoption or has not been abandoned for more than twelve months, it shall be permitted to continue in the same location. For a given parcel of land, the grandfathered protection shall be transferrable from one property owner to the next. In the case of existing Commercial, Multiple-Family Residential, or Industrial uses, proper zoning may be sought. "Rural home businesses" and "businesses in the home" as defined in the Zoning Ordinance and the General Plan shall not be considered commercial uses for the purposes of obtaining Commercial zoning.

3.4 Zoning districts

Key to Zones

AP	Agriculture Preserve	RC	Rural Commercial
A1	General Agriculture	CP	Professional Offices
TP	Timber Production	C1	Local Commercial
GF	General Forest	C2	General Commercial
RA	Residential Agriculture	REC	Recreation
RR	Rural Residential	M1	Light Industrial
R1	Single-Family Residential	RM	Rural Home Industry
R2	Two-Family Residential	M4	Business Park
R3	Multiple-Family Residential	PS	Public Service

Zoning consistency

Table 1

<u>Land Use Designation</u>	<u>Consistent Zones</u>
Community Center	GF, TP, A1, AP, RA, RR, R1, R2, R3, RC, CP, C1, C2, M1, RM, M4, PS, REC
Resort Center	GF, TP, A1, AP, RA, RR, R1, REC, PS
Recreation	GF, TP, A1, AP, RA, RR, R1, REC, PS
Commercial	RR, R1, RC, C1, C2, CP, RM, PS
Multiple-Family Residential	RR, R1, R2, R3, PS
Single-Family Residential	GF, TP, A1, AP, RA, RR, R1, PS, RM
Resource Production	GF, TP, A1, AP, PS, RM
<u>Combining Zones</u>	
Planned Development (PD)	RA, RR, R1, R2, R3, RC, RM, C1, C2, CP, M1, M2, M4, REC
Airport zones (AAX, HL)	GF, TP, A1, AP, RA, RR, REC
Mineral Extraction (ME)	GF, TP, A1, AP, RA
Environmental Protection (EP)	All base zones
Mobile Home (MH)	(parcels of less than 4.75 acres) RR, R1, R2, R3, REC

3.5 Population density and building intensity

State law requires that general plans include population density and building intensity information. The two terms are defined in section 3.1. On the following chart, the information is displayed for easy comparison and explanation. "Persons" uses the 1980 Census data of 2.45 persons per household to project the maximum population per acre at full development. "Acres" represents the number of acres of land required for one dwelling unit. For comparison, there is a number shown in parenthesis (2), (6), (12); this translates to the number of residential units per acre that could be permitted.

Zoning consistency

Table 2

Density and Intensity

District	Public water, sewer		Public water, septic		Well, septic	
	Density	Intensity	Density	Intensity	Density	Intensity
	persons	Acres	persons	Acres	Persons	acres
A1	.13	20	.13	20	.13	20
Ap	.05	50	.05	50	.05	50
GF	.13	20	.13	20	.13	20
TP	.002	160	.002	160	.002	160
RA	.52	5	.52	5	.52	5
RR	2.59	1	2.59	1	.52	5
R1	7.77	.33(3)	2.59	1	.52	5
R2	31.08	.08(12)	5.18	.5(2)	1.04	2.5
R3	31.08	.08(12)	15.54	.16(60)	7.77	.33(3)
RC	25% lot coverage		25% lot coverage		25% lot coverage	
	2.59	1	2.59	1	2.59	1
C1	35% lot coverage		35% lot coverage		35% lot coverage	
	31.08	.08(12)	15.54	.16(6)	7.77	.33(3)
C2,CP	90% lot coverage *		75% lot coverage *		50% lot coverage *	
	31.08	.08(12)	15.54	.16(6)	7.77	.33(3)
M1,M2,M4	90% lot coverage		75% lot coverage		50% lot coverage	
	No residential uses permitted, except for one single caretaker mobile home per lot.					
RM	Density/intensity based on General Plan designation					
PS	No requirements for lot coverage					
	No residential uses permitted, except for one single caretaker mobile home per lot.					
REC	75% lot coverage		50% lot coverage		35% lot coverage	
	31.08	.08(12)	15.51	.16(6)	7.77	.33(3)

*CP zoning district lot coverage for mixed commercial and residential is 75%, 67% and 50% respectively.

4.0 GENERAL

4.1 Summary of major findings

The Ebbetts Pass Scenic Highway is the gateway to a major recreation area. California Highway 4, the Ebbetts Pass Highway, is the main artery in southern Calaveras County. It is the only link between the year-round recreation facilities of the Stanislaus National Forest, Big Trees State Park and the Central Valley.

Residents, property owners and visitors have long expressed an appreciation of the natural beauty, and also a desire to maintain the area's scenic character. There already has been considerable input during the hearings on the Arnold Community Plan (1979-1980), Ebbetts Pass Scenic Highway Special Plan (1983-84), and the Calaveras General Plan (1980-1982). During these hearings, and subsequent study sessions in late 1985 and early 1986, public positions in support of a formal design review process were presented to the County. The Board of Supervisors abolished design review primarily as a budgetary matter in 1986.

Traditionally, the Ebbetts Pass area has been the fastest-growing area in Calaveras County. Knowledge of this extensive growth and development, coupled with the total of more than 8,500 acres of lands that are not yet built upon, represents a major concern over potential unlimited development. Shoulder-to-shoulder growth in other mountain recreation areas has detracted from the value of the scenic corridors. These comparisons have been made with the desire to prevent a recurrence in the Ebbetts Pass area. The special plan places the emphasis on private property rights without consideration for the desire to retain scenic resources.

4.2 Special Plan recommendations

- 1-GOAL: To the greatest extent possible, protect private property rights.
- 1a-Policy: Pursuant to Chapter 3.02 of this section, retain existing Multiple-Family Residential, Commercial, and Industrial zoning districts.
- 1b-Implementation Measure: Show existing Multiple-Family Residential, Commercial, and Industrial zones as such on the land use map.
- 1c-Policy: Ensure that suitable sites identified in the 1984 Scenic Highway Plan are retained for commercial development.

General

- 1d-Implementation measure: The land use map adopted with the 1984 Ebbetts Pass Scenic Highway Plan shall be retained.
- 1e-Policy: Prevent strip commercial development outside of community centers.
- 1e-Implementation measure: Allow no new multiple family residential, commercial, or industrial zoning or land use on lands outside of community centers, unless the zoning has previously existed as defined in Chapter 3.02, or as shown on the land use map.
- 1f-Implementation measure: Eliminate the HS, Highway Service zoning district from lands within the Plan area and rezone as follows:
- | | |
|------------------------------|----------|
| Parcels of less than 1 acre: | R1 |
| Parcels of 1 to 4.99 acres: | RR or R1 |
| Parcels of 5 to 19.99 acres: | RR or RA |
| Parcels of 20 or more acres: | GF |

5.0 COMMUNITY CENTERS

The designation "Community Center" is assigned to the smaller towns for which community, special, or specific plans have not been prepared. Community Center means that this is an area where single family residential, multiple family residential, commercial, industrial, and additional centralized community activities and land uses should be located outside of Community, Special, or Specific Plan areas. The areas designated as Community Centers on the General Plan Future Land Use Map tend to follow the boundaries of the original townsites or subdivision maps. Nothing in the Plan, however, prohibits the inclusion of resource production zones within a Community Center.

Other than Community, Special, or Specific Plan areas, Community Centers tend to be the center of regional life in the County. In general, one may find a post office, general store, or perhaps a gas station, community bulletin board, or town hall in the area.

Public facilities and services are generally available within Community Centers allowing the more intensive land usage that is generated by multi-family, commercial, and light industrial uses. Essential public facilities and services within Community Centers are adequate roads, water supply, method of sewage disposal, and the availability of fire protection services.

Public attitude surveys conducted while preparing the 1982 revision to the General Plan, and also conducted during the preparation of a number of community plans, placed a high emphasis on preventing the continuation of commercial development outside of towns or residential subdivisions.

Isolated development, which tends to collect along major roads is

Community Centers

sometimes called "strip commercial development." Most of the isolated commercial development is located on State highways and major County collectors. Limited occurrences in the past generally have not created the problems of unsightly development on scenic routes, or the traffic impacts of vehicles entering or exiting from a two lane road which other rural mountain counties have experienced.

The community center provides the location for new commercial or multiple family residential zoning or uses outside of community, special, and specific plan areas.

Road capacity and the capability of roads to handle development are an issue in community centers on project-specific basis. The concept of "levels of service" is not applicable, in that within a town area, drivers expect traffic delays caused by turning vehicles, parking vehicles, and the greater number of intersections and encroachments.

Level of service is the basis for major road policies included in the Countywide General Plan. A level of service is a rating of the ability of a road to safely and expeditiously move traffic into and through an area. Road condition, width, surface material, and average daily traffic, alignment, and development are all items that are considered in establishing a level of service. In Calaveras County, levels of service of A, B, or C are considered "acceptable," and levels of D, E, or F are considered "unacceptable."

Levels of service within a Community Center are defined differently than in rural areas. Speed is the key difference. In the rural areas, a minor arterial or major collector with a low travel speed is unacceptable. Within a community center, this is a desired speed. The issues addressed in the preceeding paragraph all have an impact on the actual speed by which drivers travel through a Community Center.

Speeds on through roads are one of the multiple criteria used to determine "adequate" levels of service. To support commercial and light industrial development, a through road must be rated as "adequate." To support multiple family residential development, a through or connector road must be rated as "adequate." To support single family residential subdivision approval, a road in a community center must be rated as "adequate."

A parcel that derives its primary access from a community center road with an "inadequate" level of service may obtain necessary building permits or use permits, provided that as a condition of project approval, the permit holder makes necessary improvements to the inadequate road so that level of service is not further degraded.

In order to rezone parcels to new commercial, multiple family residential, or light industrial districts, or to subdivide to parcels of less than forty acres within a community center, a developer or subdivider may be making actual improvements to the road adjoining the project, and potentially other roads which may be impacted by the project. Road improvements may range from widening, left turn lanes, or other physical improvements over the path that traffic will follow.

Community Centers

The magnitude of the improvements may postpone a proposed project or possibly result in a denial of the project until road improvements are completed.

5.20 General Plan recommendations.

- 4-GOAL: For areas not located within community, special, or specific plan boundaries, maintain and reinforce Community Centers in the County as the central focus of local commercial, multiple family residential, light industrial, and other community activities.
- 4a-Policy: Designate the following as Community Centers in the Special Plan:
1. Avery
 2. Camp Tamarack
- 4b-Policy: Future multiple family residential and commercial developments and zoning shall be located only within Community Centers, or areas with adopted community, specific, or special plans. Refer to Goal 1 for exceptions to this policy.
- 4c-Policy: Future light industrial development and zoning may be located within Community Centers.
- 4d-Policy: Require that all requests for zone changes, use permits, or building permits for multiple family residential development be considered only within Community Centers, except as otherwise noted under Goal 1.
- 4e-Implementation measure: Require that requests for zone changes, use permits, or building permits for multiple family residential development within Community Centers be considered only when such development is proposed to be located on parcels for which the road on which the subject property has frontage is defined as a Through or Connector Community road, that is rated as "adequate," or may be improved to "adequate" standards, except as exempted under Goal 1.
- 4f-Implementation measure: There shall be a maximum density of twelve units per acre for multiple family residential construction located on parcels served by a public water and a public sewer system.
- 4g-Implementation measure: There shall be a maximum density of six units per acre for multiple family residential construction located on parcels served by a public water system and private septic system, provided that the sewage disposal system is maintained in conformance with the policies of the General Plan Safety element.

Community Centers

- 4h-Implementation measure: Requests for a change of zoning, use permits or building permits for commercial or light industrial construction shall be permitted only in the designated Community Centers, except for parcels designated as commercial or light industrial in the 1984 Ebbetts Pass Scenic Highway Plan, or as otherwise permitted under the provisions of Goal 1 of the Special Plan.
- 4i-Implementation measure: Require that requests for zone changes, use permits, or building permits for commercial or light industrial development within the designated Community Centers be considered only when such development is proposed to be located so that the public road which provides access to the site is a road classified as a Through community road rated as "adequate," or may be improved to "adequate" standards. (This measure shall not apply to parcels designated as commercial or light industrial in the 1984 Ebbetts Pass Scenic Highway Plan.)
- 4j-Implementation measure: Consider general plan amendments to expand community centers when all of the following criteria are satisfied:
- ▶ The proposal is accompanied by a specific project application, and
 - ▶ The area to be added to the community center is contiguous and forms a logical boundary, and
 - ▶ The proposed land use and zoning meet the policy requirements for community centers.
- 4k-Implementation measure: Within the designated community centers, apply the project specific criteria of sections 4.00 and 5.00 of the Calaveras County General Plan, Public Facilities and Services element to all new development and subdivision activity.
- 4l-Implementation measure: Consider applications for new Community Centers when all of the following criteria are satisfied:
- ▶ The area is centered around and including an existing townsite or residential subdivision;
 - ▶ There are existing multiple family residential, commercial and/or light industrial land uses;
 - ▶ The area is within a fire protection district;
 - ▶ The area is served by a public water system.

Resort Centers

6.0 RESORT CENTERS

6.1 Summary of major findings.

Certain areas within the special plan boundaries are currently major recreation resources. Primarily, this refers to the Cottage Springs Ski Area, which includes a ski run, small lot single family residences, and a small commercial complex supporting the ski area. It is likely that in the future, development of a comprehensive resort center may be proposed elsewhere in the special plan area.

Resort centers are intended to be recreationally-oriented commercial development that is closely tied to a main recreation use. This can include a hotel/conference center, a recreation activity center (such as hunting clubs or ski slopes), or similar facility oriented to provide resort activities.

A resort center is not intended to be a site for isolated commercial development outside of community centers. It is intended to be developed with a primary recreation use, and then the other residential or commercial uses in the area are intended to provide support services for that primary recreation use.

Proposals for development of existing or new resort centers need to be master-planned recreation developments.

Planned recreation development. Some recreation developments are proposed to ultimately reach a larger scale than the first phase to be constructed. Rather than have a proponent continually apply to the County to expand the use, it is a more efficient review of the proposed land use to allow an application for the ultimate project to obtain one approval, with development scheduled to be constructed in phases.

6.2 Special plan recommendations.

5-GOAL: Encourage resort center development.

5a-Policy: Identify existing resort centers.

5b-Implementation measure: Identify Cottage Springs as the only existing resort center in the Special Plan.

5c-Policy: Consider future plans for resort centers.

5d-Implementation measure: Review future plans for resort centers when the proposal provides a master development plan for County approval as either a planned recreation development or a specific plan, and a general plan amendment to the special plan, necessary zone changes; and the development of the project ensures that the

Resort Centers

primary recreation use is developed first, prior to any accessory commercial or residential uses.

7.0 RECREATION

Because of the abundance of recreation resources in the Ebbetts Pass, there exist certain commercial uses which provide support facilities to recreation areas. Examples of this type of commercial development include campgrounds, boat rentals or storage, and camping equipment sales or rental.

Recreation resources and uses are a major source of revenue and visitor expenditures in Calaveras County. Recreation resources include the Stanislaus National Forest, Big Trees State Park, and numerous supporting uses, such as campgrounds, RV campgrounds, and other types of overnight accommodations.

With the constant increase in recreation-oriented visitor traffic, it is likely that additional recreationally-oriented commercial development will be needed.

There is a fine line that is established between a recreationally-oriented commercial development and general commercial development. Items which can be made available for sale in a bait and tackle shop, for example, can also be sold concurrently with milk, alcoholic beverages, and related food items found in a grocery store or convenience market. There is no reasonable means by which the two examples can be separated.

A certain use may be "location-specific." A parcel with a large natural feature that could be a privately owned and operated recreation attraction does not necessarily have the advantage of locating in a Community Center or area with adopted community or special plan. This type of recreation use is considered to be acceptable as a recreationally-oriented commercial development located at the site of the activity. Examples include caves, lakes, or rivers.

Another example of site-specific recreation development includes a tent or recreation vehicle campground. The use needs to be located in an area where the County visitor is likely to seek camping facilities. The areas closest to the major lakes, forests, and other recreation resources may not be located in Community Centers, so that a campground is considered an acceptable commercial development to be located outside of these "normal" commercial areas.

As recreation resources are developed over the life of the Special Plan, it is impossible to specifically determine where recreationally oriented commercial development should be located. While the flexibility of a case-by-case review is appropriate, consideration needs to be given to ensure that only true recreation uses are permitted in areas where commercial development is not allowed under policies in the Plan.

Recreation

While it is intended that the recreation-support uses be directed to overnight accommodations, such as bed-and-breakfast inns, motels, and campgrounds, it is possible that larger recreation projects may also have some commercial uses developed as part of the project. The limitation is that the commercial uses to support the specific project must be part of the overall development plan, and approved with a conditional use permit.

Destination uses. Destination uses are recreation sites that are privately operated, or operated by private concession to which a County visitor will travel for recreation purposes. This category includes lakes, rivers, caves, forests, parks, ski facilities, or resorts. Destination areas should be encouraged to be master planned or phased so that the eventual long term development of the area can be orderly and not a means of circumventing General Plan policies related to siting commercial zoning and uses.

Accompanying destination uses may be accessory uses, which are individual businesses or services which provide a direct service to those visitors traveling to a destination use. Specifically, accessory uses are a part of a destination use. Examples of accessory uses include a concession stand located at a ski area, a convenience store with laundromat at a campground, or a restaurant located within a motel or hotel. Accessory uses are located within a destination use area.

Indirect uses. Indirect uses are general commercial type businesses which serve, but are not a direct part of recreation resources. An example of this could be a bait and tackle shop located near Lakes Hogan, Camanche, and Pardee. Another example could be a sporting goods store which sells and rents ski equipment in the winter, hunting, fishing, and camping equipment in the summer.

Indirect uses are considered general commercial land uses and shall be located in areas where commercial uses are permitted by the policies of the General Plan. Indirect uses do not qualify for Recreation zoning.

Road capability. Recreation uses must be located where the recreation resources are located. This means that there are situations which will commonly occur when a recreation use is located on a road with a service level of D, E, or F. Recreation uses are important to the economy of the County. While revenue producers, the money generated by recreation development generally will not be of a sufficient level to economically impose a complete improvement of the access road on the proponent. As an alternative, the County must ensure that the project-specific improvement requirements expressed in Section 4.00 and 5.00 of the Public Facilities and Services element are assessed and resolved in relation to the seasonal, direct and indirect impact of the recreation resource.

Recreation

8.20 General Plan recommendations.

- 6-GOAL: Encourage development of destination recreationally-oriented commercial development.
- 6a-Policy: Enable recreationally-oriented destination businesses to locate in appropriate areas of the County.
- 6b-Policy: Encourage master planned recreation developments that propose the long term use and development of a recreation resource.
- 6c-Implementation measure: Consider approval of conditional use permits for recreationally-oriented destination uses which meet the findings of this section.
- 6d-Implementation measure: Do not permit recreation zoning for indirect recreationally-oriented commercial uses.
- 6e-Implementation measure: In reviewing applications for recreation uses, ensure that project specific improvements, as prescribed in sections 4.00 and 5.00 of the Calaveras County General Plan Public Facilities and Services element are imposed on the proposed project when needed to mitigate potential road impacts.
- 7-GOAL: Encourage development of small-scale accommodations, such as bed-and-breakfast inns.
- 7b-Policy: Ensure that the County Zoning Ordinance provides for bed-and-breakfast inns as a land use in appropriate zones.
- 7c-Implementation Measure: Continue to include bed-and-breakfast as an accommodation land use in the zoning ordinance.

8.0 MULTIPLE-FAMILY RESIDENTIAL

8.1 Summary of major findings

Multiple-family residential land is viewed in two perspectives. One is the owner-occupied or individually-owned unit which may be a condominium or townhouse development. The second perspective is that of the rental-only unit, or apartment. In addition, the Housing Element of the General Plan recognizes that time sharing estates is another form of multiple-family housing.

Presently, there are parcels zoned multiple-family residential in Forest Meadows, Ebbetts Pass Highlands and Big Trees Village. While more than two-thirds of the multi-family zoning is undeveloped, there still may be locations in the Avery and Tamarack community centers

Multiple family residential

where multi-family development is conditionally permitted in commercial districts with a use permit.

8.2 Special Plan recommendations

- 8-GOAL: Encourage development of multiple-family residential housing on parcels with existing multi-family zoning, and in community centers.
- 8a-Policy: Ensure that new multiple-family development occurs on parcels within the R2 and R3 districts or with a use permit on commercial lands.
- 8b-Implementation Measure: Approve building permits for multiple-family development on appropriately-zoned lands.
- 8c-Policy: Permit multiple-family development on new locations in community centers.
- 8d-Implementation Measure: Favorably consider requests for new lands to be zoned R2 and R3 only within Community Center.

9.0 SINGLE-FAMILY RESIDENTIAL

9.1 Summary of major findings

For the most part, private lands along Highway 4 have already been subdivided to parcels of less than 20 acres. The predominant parcel size between Murphys and Arnold is under five acres. Above Camp Connell, the predominant parcel size is in excess of forty acres, with a few pockets of smaller parcels around the towns and urban settlements.

Poorly-designed single-family homes, from the standpoint of siting on the property, removal of existing vegetation, as well as home design may not be consistent with the intent of the scenic highway plan. Because single-family homes are the major potential new land use within sight of the highway between Murphys and Arnold, emphasis should be given to ensure that the scenic quality of the area is not impacted as full development is reached. Most of the parcels are of adequate size and shape that development can take place out of sight of the road. This is an important factor to consider in placing new homes in the area. The separation or screening not only maintains visual quality in the area, but it also provides a buffer from highway noise, traffic, dust and odor for the homeowner. Single-family residential development is the preferred land use, aside from tree farms and agriculture, expressed in the General Plan Citizen Attitude Survey conducted in 1980, and the Arnold Community Plan Preference Survey conducted in 1979. This preference holds for both in-county

Single family residential

residents and out-of-county property owners. The preferred parcel size averages between one and five acres.

Due to the existing subdivided nature of the area between Murphys and Arnold, recognition should be given to the existing residential character of the area. While the soils allow the categorization of the lands as high-capability timber lands using the policies of the countywide General Plan, the extensive subdivision of the land precludes such use in an efficient and economic manner.

Above Camp Connell to the Alpine County line, the parcel sizes are much larger. This general area also is the site of commercial logging activity. Public services and infrastructure are generally less available or less developed than at lower elevations. Private ownership is interspersed with National Forest lands. There are significant amounts of high-capability timber land and wildlife habitat within the area. The resource values of the lands above Camp Connell should be protected and preserved through larger minimum parcel sizes.

9.2 Special Plan recommendations

- 9-GOAL: Encourage single-family residential as the predominant land use in the Special Plan area from Murphys to Arnold.
- 9a-Policy: Permit single-family residential development along Highway 4 between Murphys and Arnold.
- 9b-Implementation Measure: Unless shown as commercial, or community center, designate lands within the corridor between Murphys and Red Apple (Darby-Russel Road) as Future Single-Family Residential 5-acre minimum; and Darby Russel Road to Arnold as 1-acre minimum.
- 10-GOAL: Retain large-parcel single-family lands along the upper corridor.
- 10a-Policy: Retain the existing General Plan designations between Camp Connell and the Alpine County line.
- 10b-Implementation Measure: Except for Resort Centers, Community Centers, or Recreation, continue to show lands in the corridor as they have been designated in the Countywide General Plan: Prime Timber, or Significant Wildlife Habitat.

10.0 COMMERCIAL

10.1 Summary of major findings

Commercial

Commercial lands within the Scenic Highway Corridor have existing commercial uses or Commercial zones. For the most part, such lands obtained zoning prior to the development of the revised Calaveras County General Plan. In addition to the Community Centers in the Special Plan area, there are adequate undeveloped commercial lands to accommodate the needs of the area through the life of this Plan.

Most existing commercially-zoned undeveloped land is located between the Murphys and Arnold areas. There are pockets of commercial lands at the entrance to Forest Meadows and Hanford Hills subdivisions, at Red Apple and Hathaway Pines. The towns of Dorrington and Camp Connell also have a balanced mix of developed and undeveloped commercial lands.

Outside of the Avery and Tamarack Community Centers, almost all existing commercial uses are presently zoned Commercial. Under the general policies of the Special Plan, those few existing commercial uses not presently zoned will be classified into an appropriate Commercial zoning district.

When the 1984 Ebbetts Pass Scenic Highway Plan was adopted, a number of additional parcels were found to be suited for commercial land use designations. These parcels did not have existing commercial zoning (RC, C1, C2, CP) at the time of Plan adoption in 1984.

Prior to the action of rezoning all parcels within the 1984 Plan area into consistent zones, the County was notified that its 1982 General Plan was "inadequate." This ruling from the Third District Court of Appeals in Sacramento resulted in a moratorium on zoning amendments for much of 1985. When the Ebbetts Pass Highway Plan was proposed in late 1985, following repeal of the moratorium and adoption of a revised Countywide General Plan, the rezoning action was not initiated. Because of this, the parcels originally designated to be rezoned into commercial districts were never rezoned. The Ebbetts Pass Highway Plan recognizes the original commitments and findings, and retains those parcels as commercially designated parcels.

Local preference, determined by the Citizen Attitude Survey, is to ensure that Highway 4 does not become a commercial strip.

10.2 Special Plan recommendations

- 11-GOAL: Encourage the use of existing commercial lands before considering new requests for Commercial.
- 11a-Policy: Retain existing Commercial zones, and zone existing commercial uses with an appropriate zoning district.
- 11b-Implementation Measure: Show existing commercial zones as Commercial.
- 11c-Implementation Measure: Permit existing commercial uses not zoned

Commercial

Commercial to obtain appropriate zoning.

11d-Policy: Include lands designated as "commercial" in the 1984 Ebbetts Pass Scenic Highway Special Plan as "commercial."

11e-Implementation measure: Permit parcels shown as "commercial" in the 1984 Scenic Highway Plan to obtain Rural Commercial zoning.

12-GOAL: Discourage strip commercial development.

12a-Policy: Ensure that new commercial development locates in appropriate areas of land use designation.

12b-Implementation Measure: Permit new commercial zoning only within Community Centers.

11.0 TIMBER AND RESOURCE PRODUCTION

11.1 Summary of major findings

While the primary attraction to the general public of the Ebbetts Pass Scenic Highway is the recreation value, there is a substantial value in natural resources. Mining has never been as popular at the higher elevation as it has been in the Sierra foothills, but agriculture and timber production are major income producers.

Agriculture is primarily limited to summer range use with cattle and sheep. The grazing use of the lands along the scenic highway involves little or no development, and is generally considered inobtrusive in terms of impact on scenic resources.

Above Big Trees State Park, the major land holdings are divided between the United States Department of Agriculture Forest Service (Stanislaus National Forest) and private timber companies. In the corridor, American Forest Products is the largest private land holder.

Public lands held by the Stanislaus National Forest are leased and contracted by the Federal Government. The County has no jurisdiction over these lands. The ownership is expected to remain public; however, land exchanges are possible. None are proposed within the corridor at present.

The Forest Service has adopted policies for management of timber resources within the Highway 4 corridor. These policies center on two management techniques. The techniques are called "retention" and "partial retention".

"Retention" areas are those that are highly visible from the road. Management of timber in this area is generally limited to selective harvesting and extensive clean-up of slash and scrap timber.

Timber and Resource Production

A general goal of ensuring that the area does not look as if it had been managed is to be achieved within one year of harvest. "Partial retention" permits a greater latitude in timber harvesting. More trees may be removed from an area, but extensive cleanup is still required. In partial retention, the goal is to allow harvesting, but not so that a person could see the area at a glance and determine that harvesting had taken place.

In relation to private property, regulation is established by the California Board of Forestry. All commercial timber operations are subject to the provisions of the Z'Berg-Nejedly Forest Practice Act of 1973 and Title 14, California Administrative Code (Forest Practice Rules). Under the Act, the State Board of Forestry is required, in specified circumstances, to adopt rules and regulations to take into account local needs and which are operative only in an individual county. However, policies related to timber harvesting within a scenic highway corridor are already established through the designation of Special Treatment Areas [Title 14, CAC, Sec. 8115.1 and 953.4(a)].

One area of concern is the smaller parcels that are exempt from the preparation of the Timber Harvest Plan and from the Timberland Conversion Permit process. If these parcels are harvested on a non-commercial basis, they are not subject to the provisions of the Forest Practice Act or the Forest Practice Rules. Commercial operations on these parcels are subject to the Act and Rules, but may be exempt from the plan preparation and submission requirements. However, the Department of Forestry must still be notified of such operations. At present, a number of parcels along the Highway are scarred with results of a clear-cut and lack of reforestation. There is a general desire to protect the private property rights of the individual to use timber on their own land, and at the same time ensure that the scenic value of the area is not damaged as one small parcel after another is cleared.

Above Arnold, there are substantial private holdings in the timber production zone (TPZ). Where such lands are located, the use is restricted to timber production for a minimum period of ten years. In addition, these private holdings are buffered from Highway 4 in many locations by a scenic strip of Forest Service lands a minimum of three hundred feet from the center line of the road.

11.2 Special Plan recommendations

- 13-GOAL: Support the Forest Service scenic area forest management program.
- 13a-Policy: Provide local support for the Forest Service to continue its policies of retention and partial retention.
- 13b-Implementation Measure: Adopt a resolution of support for the retention and partial retention policies on Forest

Timber and Resource Production

Service lands.

14-GOAL: Encourage commercial timber production.

14a-Policy: Cooperate with the Department of Forestry concerning implementation of the Forest Practices Act.

14b-Implementation measure: Work within the Forest Practices Act for the Southern District for harvest plans in areas with scenic values.

12.0 CIRCULATION

12.1 Summary of major findings.

The Ebbetts Pass Highway Plan is different from most of the Community or Special Plans in the County in that it provides land use and development policies for a corridor of limited width, and does not encompass surrounding lands located more than several hundred feet from California Highway 4.

The direction of the Plan centers primarily on land use issues and consistent zoning, rather than an orientation for new subdivision activity. It is within new subdivisions that most road issues arise. The Ebbetts Pass Highway Plan results in a reliance on Countywide General Plan road policies for development on lands located outside of the designated Community Centers.

In relation to access to multiple family residential, commercial, light industrial, or recreation parcels, the County-wide General Plan does not provide the detail necessary for a Special Plan such as this. For this reason, the Countywide policies need modification and increased detail to be most effective in dealing with potential circulation problems.

Of all State Highways in the County, Highway 4 has shown the greatest increase in traffic volumes in the period between 1980 and 1984. This is a direct result of the population growth and popularity of the Ebbetts Pass. Supervisorial District 3 has consistently led all other areas of the County in issuance of new building permits. With new development comes increased traffic.

While Highway 4 as it passes through other towns, Community Centers, or Community Plan areas generally serves as a "Main Street" for the areas, its purpose in the Special Plan corridor is to move both intra- and inter-county traffic at a smooth pace and safe speed. As new multiple family residential, commercial, light industrial, or recreation development occurs, care must be taken to ensure safe intersections between access roads and the State highway.

One cause of traffic slow-down is a proliferation of driveways. In order to protect against this type of incursion into the existing

Circulation

level of service on Highway 4, limited access points should be established, and improvements may be required to the State highway to ensure safe turns are possible without impeding through traffic flow. Methods of achieving this include left turn pockets, escape lanes, or added highway width for acceleration or deceleration lanes.

12.2 Special Plan recommendations.

- 15-GOAL: Ensure that service levels are maintained on Highway 4.
- 15a-Policy: Incorporate General Plan circulation policies into the Special Plan for residential subdivisions and development outside of Community Centers.
- 15b-Implementation measure: The road related policies in the Public Facilities and Services element of the Countywide General Plan are incorporated into the Special Plan for lands located outside of Community Centers.
- 15c-Policy: Review new multiple family residential, commercial, industrial, and recreation development to ensure that service levels on Highway 4 remain at "acceptable" levels. ("Acceptable" means a service level of A, B, or C)
- 15d-Implementation measure: Utilizing limited access, left turn lanes, acceleration/deceleration lanes, or other accepted engineering practices, ensure that new development outside of Community Centers has safe intersections with Highway 4.

SECTION III

IMPLEMENTATION PROGRAM

1.0 PURPOSE

The purpose of the implementation program is to ensure that the policies of the Special Plan are put into effect in a timely and ongoing basis. Throughout Section II of the Plan there are implementation measures. Some require action of the Planning Commission or Board of Supervisors to change or adopt a policy or ordinance. Other measures are for County staff to review when projects are submitted. The implementation of the Special Plan puts the entire program into effect as part of the Calaveras County General Plan.

2.0 IMPLEMENTATION PROGRAM

2.1 Purpose

The purpose of the implementation program is to specifically review each implementation measure and assign it a priority. The assignment is based on the importance of the measure, and the amount of time it will take to prepare the action necessary.

2.2 Priorities

The following chart lists each implementation measure and assigns its priority:

A - First priority (0-6 months following adoption)

B - Second priority (6-12 months)

C - Third priority (over 12 months)

O - Ongoing review

Specific time frames are assigned following adoption of the Special Plan, and are incorporated into the annual General Plan Implementation Program. This master program is reviewed annually.

Implementation

<u>Measure</u>	<u>Description</u>	<u>Responsibility</u>	<u>Priority</u>
	Rezoning of the Special Plan area	Planning	A
1b	Zoning protection	Planning	A
1d	Land use designation for certain pcls	Planning	A
1f	HS rezoning	Planning	A
4a	Community centers	Planning	A
5b	Resort centers	Planning	A
7c	Add Bed and Breakfast Inn as a land use	Planning	A
8b	Multi-family permits on R-3 lands	Planning	O
8d	New MFR in community centers	Planning	O
9b	1 and 5-ac min between Murphys/Arnold	Planning	O
10b	Resource lands above Arnold	Planning	O
11b	Existing commercial zoning	Planning	O
11c	Existing commercial uses rezoning	Planning	O
12b	New commercial zoning	Planning	O
13b	Forest Service resolution	Board	A
14b	Special treatment notification	Planning/CDF	A
15b	Service levels on Highway 4	Caltrans	O
15d	Access design and points	Public Works	O

Many of the "A" items will be covered with the rezoning action.

3.0 AMENDING AND REVIEW

Special plans are viable documents that are intended to represent the views and values of the constituency. Since issues and values change, the Plan itself needs to be reviewed every five years to ensure that it still represents the desires of the people. The Special Plan policies should be subjected to a close scrutiny and amended as needed.

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